

IN THE CLAIMS

1-16. (Cancelled)

17. (Currently Amended) The method of claim ~~16~~71 wherein said ~~elevated~~ higher copy number of said gene for the cell in (a) relative to said normal cell in (b) is at least a 2 fold higher copy number of the gene.

18. (Currently Amended) The method of claim ~~16~~71 wherein said higher copy number of said gene for the cell in (a) relative to said normal cell in (b) is at least a 3 fold higher copy number of the gene.

19-28. (Canceled)

29. (Currently Amended) The method of claim ~~28~~72 wherein said higher copy number is at least a 2 fold higher copy number of the gene.

30. (Currently Amended) The method of claim ~~28~~72 wherein said higher copy number is at least a 3 fold higher copy number of the gene.

31-66. (Canceled)

67. (Currently Amended) The method of claim ~~16~~71, including the additional steps of:

(~~e~~) determining test mRNA expression level of mRNA encoded by said gene comprising the nucleotide sequence of SEQ ID NO: 1 in said test sample ~~cell of (a);~~

(e) determining a normal mRNA expression level of mRNA encoded by said gene within said normal breast cell(s);

(f) comparing the test mRNA expression level and the normal mRNA expression level;

~~(g) (d) comparing said mRNA expression of (c) with that of the normal cell of (b), whereby both increased a higher test mRNA expression level mRNA level and higher test copy number relative to said normal mRNA expression level and said normal copy number of said gene for the cell in (a) relative to said normal cell in (b) identifies the cell(s) in (a) as cancerous or precancerous.~~

68. (Canceled)

69. (Currently Amended) The method of claim 2872, including the additional steps of:

~~(e) detecting mRNA expression of said gene in said sample of (a), (d) comparing said mRNA expression of (c) with that of the sample from the normal subject of (b), whereby both increased mRNA level and higher copy number of said gene for the sample in (a) relative to said sample from the normal subject in (b) identifies the patient as having cancer.~~

(d) determining test mRNA expression level of mRNA encoded by said gene comprising the nucleotide sequence of SEQ ID NO: 1 in said test sample;

(e) determining a normal mRNA expression level of mRNA encoded by said gene within said normal human tissue;

(f) comparing the test mRNA expression level and the normal mRNA expression level;

(g) whereby a higher test copy number relative to said normal copy number, a higher test protein expression level relative to said normal protein expression level, and a higher test mRNA expression level relative to said normal mRNA expression level identifies said tissue as being cancerous or precancerous.

70. (Canceled)

71. (New) A method for identifying a cancerous or precancerous cell(s), comprising:

(a) determining a test copy number, wherein said test copy number is determined by steps comprising:

obtaining a test sample, said test sample comprising at least one breast cell, said breast cell(s) comprising at least one gene comprising the nucleotide sequence of SEQ ID NO: 1, and

determining a copy number of said at least one gene, wherein said copy number of said at least one gene of said test sample is said test copy number;

(b) determining a normal copy number, wherein said normal copy number is determined by the steps comprising:

ascertaining the copy number of said at least one gene comprising the nucleotide sequence of SEQ ID NO: 1 in a normal breast cell(s), wherein said normal breast cell(s) is neither cancerous nor pre-cancerous, wherein said copy number of said at least one gene of said normal breast cell(s) is said normal copy number;

(c) comparing the test copy number and the normal copy number, wherein a higher test copy number relative to said normal copy number identifies the breast cell(s) as cancerous or precancerous.

72. (New) A method for detecting cancer or a pre-cancerous condition in tissue, comprising:

(a) obtaining a test sample, said test sample comprising human tissue;

(b) determining copy number of a gene comprising the nucleotide sequence of SEQ ID NO: 1,

wherein said copy number is a test copy number;

(c) determining expression of a protein encoded by the nucleotide sequence of SEQ ID NO: 1 within said tissue, wherein said expression is a test protein expression;

(d) determining a normal copy number, wherein said normal copy number is determined by the steps comprising:

ascertaining the copy number of said gene comprising the nucleotide sequence of SEQ ID NO: 1 in normal human tissue, wherein said normal human tissue is neither cancerous nor pre-cancerous, wherein said copy number of said gene of said normal human tissue is said normal copy number;

(e) determining a normal expression level, wherein said normal expression level is determined by the steps comprising:

ascertaining the expression level of a protein encoded by the nucleotide sequence of SEQ ID NO: 1 within said normal human tissue,, wherein said normal human tissue is neither cancerous nor pre-cancerous, wherein said expression level of said protein of said normal human tissue is said normal protein expression level;

(f) comparing the test copy number and the normal copy number;

(g) comparing the test protein expression level and the normal protein expression level:

(h) whereby a higher test copy number relative to said normal copy number and a higher expression level relative to said normal protein expression level identifies said tissue as being cancerous or precancerous.